

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

KELLY PINN INDIVIDUALLY AND ON §  
BEHALF OF SIMILARLY SITUATED §  
PERSONS, §

PLAINTIFF §

VS. §

HUFSEY HOME SERVICES, INC. D/B/A §  
ONE HOUR AIR CONDITIONING & §  
HEATING AND 33 MILE RADIUS, LLC §  
D/B/A EVERCONNECT §

DEFENDANTS

CIVIL ACTION NO. 4:23-cv-01208-Y

**DEENDANT'S MOTION TO EXTEND TIME**

Defendant Hufsey Home Services, Inc. d/b/a One Hour Air Conditioning & Heating (Hufsey) files this motion to extend the time to reply to the response to motion to dismiss filed by Plaintiff Kelly Pinn individually and on behalf of similarly situated persons (Pinn) and in support thereof would respectfully show the Court the following:

On December 1, 2023, Pinn filed her original complaint. Doc. 1. On December 13, 2023, Pinn served Hufsey with a copy of the summons and complaint. Doc. 7. Per FED. R. CIV. P. 12, the deadline for Hufsey to answer Pinn's complaint was January 3, 2024.

On February 9, 2024, Hufsey filed its motion to dismiss. Doc. 17. On March 1, 2024, Pinn filed her response thereto. Doc. 20. The deadline for Hufsey to reply is March 15, 2024.

On March 4, 2024, counsel for Hufsey requested from Pinn a 30-day extension to file its reply. Hufsey's proposed deadline to reply is April 15, 2024. Counsel for Pinn agreed to a 30-day extension inclusive of the 14 days to reply prescribed by L.R. 7.1(f) (or April 1, 2024). Exhibit A.

Counsel for Hufsey requests the additional time to file the reply because counsel will be preparing for and attending trial beginning April 1, 2024 in the case styled *Perfection Plumbing and Steele, LLC v Rodney & Debbie Dorman dba X-Press Construction* pending in the 48<sup>th</sup> District Court, Tarrant County, and trial beginning April 15, 2024 in the case styled *G2S Group v Fort Worth Lumber* pending in the 192<sup>nd</sup> District Court, Dallas County. Exhibit B. Accordingly, Hufsey requests that this Court extend the deadline to reply to Pinn's response to Hufsey's motion to dismiss to April 15, 2024. This request is not for delay but so that justice may be done.

For the reasons stated, Defendant Hufsey Home Services, Inc. d/b/a One Hour Air Conditioning & Heating requests that this Court grant the motion for extension of time to reply to the response to Hufsey's motion to dismiss filed by Plaintiff Kelly Pinn individually and on behalf of similarly situated persons to and including April 15, 2024.

Respectfully submitted,

/s/ Angélique M. McCall

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ONE HOUR AIR CONDITIONING &

HEATING

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to counsel of record in this cause pursuant to and in accordance with the Federal Rules of Civil Procedure on March 8, 2024.

/s/ Angélique M. McCall

Angélique M. McCall

**CERTIFICATE OF CONFERENCE**

I hereby certify that on March 5, 2024, I conferred with Anthony Paronich, counsel of record for Plaintiff Kelly Pinn, individually and on behalf of similarly situated persons, to discuss the merits of this motion. Mr. Paronich is unopposed to a 30-day extension inclusive of the 14-days prescribed in L.R. 7.1(f), (or April 1, 2024). Mr. Paronich is opposed to the proposed deadline of April 15, 2024. Therefore, it is presented to the Court for determination.

/s/ Angélique M. McCall

Angélique M. McCall